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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KWONG YUNG,)	No. 07-CV-5949
)	
Plaintiff,)	DECLARATION OF PLAINTIFF
vs.)	IN OPPOSITION TO DEFENDANT'S
)	MOTION TO DISMISS FOR LACK
INSTITUTIONAL TRADING)	<u>OF PERSONAL JURISDICTION</u>
COMPANY, a corporation,)	
IT. COM, a corporation, DOES 1 to 10,)	Date: February 22, 2008
)	Time: 10:00 a.m.
Defendants.)	Courtroom: 1, 17 th Floor
)	Judge: Hon. Samuel Conti

KWONG YUNG, the Plaintiff herein, declares as follows:

1. I have personal knowledge of the matters contained in this declaration, except where such facts are stated on information and belief, and as to those facts, I believe them to be true. If called as a witness to testify to the matters set forth in this Declaration, I could do so competently.
2. The employment agreement, which is the subject matter of the instant litigation was signed by me in the Northern District of California.

3. The work I was hired to do was to be performed in the Northern District of California.

4. Defendant was doing business in the Northern District of California because it was my job to contact its customers located in said District.

Some of the Northern District customers Defendants do business within the District are Borland, Inxright, NEC, IBM, Microsoft and Google, through their local offices in the Northern District.

5. Throughout 2006, I traveled to the San Francisco Bay area for business. Even while I physically worked in the District of Columbia and State of Virginia, I actively engaged business affiliates in California on behalf of Defendants. In fact, as chief scientist, I was charged with establishing business relationships with Silicon Valley, home to many other high-tech partners.

6. I started work for Institutional Trading Corporation even while I was still living in San Francisco, CA. Between November 11, 2005 and December 1, 2005, I was actively working for ITC but was not paid.

7. I worked via telephone and e-mail with many business affiliates who were customers of Defendant, in the San Francisco Bay Area, including Borland, NEC and Google.

8. I was hired mainly to establish presence and business relations with customers in the Silicon Valley area.

9. IT.com has on its board technical advisers from Stanford University, Borland, and Google. Michael Klausner, Tod Nielsen, and Adam Bosworth all live in the San Francisco Bay area, actively work for IT.com, in the San Francisco Bay Area.

10. Mark Cordover and I have actively pursued business with California companies in California, pursuant to his directions, for Defendant companies.

11. Mark Cordover and I have actively recruited prospective advisers and employees in California for Defendant companies.

12. Deductions were made from my paychecks for California unemployment insurance because Defendant companies were doing business in California.

13. Defendant companies have a payroll consisting of other employees who are physically located in the Northern District and do business here on Defendant's behalf.

14. I paid California State income taxes in 2005 and 2006 in income I earned in California while working for Defendants here which primarily consisted of expanding their business here and recruiting California residents to become their employees in this state.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: February 1, 2008.

/s/ _____
KWONG YUNG